



EUROPEAN COMMISSION  
DG Competition

***Case M.8215 - APOLLO MANAGEMENT / RACKSPACE  
HOSTING***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004  
MERGER PROCEDURE**

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Article 6(1)(b) NON-OPPOSITION  
Date: 21/10/2016

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## EUROPEAN COMMISSION

Brussels, 21.10.2016  
C(2016) 6872 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

### **To the notifying party:**

Dear Sirs,

**Subject: Case M.8215 - APOLLO MANAGEMENT / RACKSPACE HOSTING  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European Economic Area<sup>2</sup>**

1. On 29 September 2016, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which investment funds managed by affiliates of the undertaking Apollo Management, L.P. ("Apollo", United States of America) ultimately controlled by Apollo Global Management LLC acquire within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking Rackspace Hosting, Inc. ("Rackspace", United States of America) by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for Apollo: affiliates of Apollo invest in companies and debt issued by companies involved in various businesses throughout the world including, inter alia, companies in the chemical, cruise line, IT consulting, security, financial and glass packaging businesses.
  - for Rackspace: a US publicly traded company, whose principal activity is the provision of Infrastructure as a Service (IaaS), and which also offers managed cloud services.

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<sup>1</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

<sup>2</sup> OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

<sup>3</sup> Publication in the Official Journal of the European Union No C 367, 06.10.2016, p. 3.

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.<sup>4</sup>
4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

*For the Commission*

*(Signed)*

*Johannes LAITENBERGER  
Director-General*

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<sup>4</sup> OJ C 366, 14.12.2013, p. 5.